



United States Department of the Interior
BUREAU OF LAND MANAGEMENT
FILLMORE FIELD OFFICE

35 East 500 North
Fillmore, Utah 84631



In Reply Refer to:
3610 (UTW02000)
UTU- 87930

July 13, 2010

CERTIFIED MAIL 7009 2820 0002 1629 3234
RETURN RECEIPT REQUESTED

STONECOVER, LLC.
W DAVID WESTON
218 WEST PAXTON AVE.
SALT LAKE CITY, UTAH 84101

PROCESSING FEE REQUIRED

RECEIVED

JUL 15 2010

DIV. OF OIL, GAS & MINING

Dear Mr. Weston:

On April 2, 2010 the Bureau of Land Management (BLM) Fillmore Field Office (FFO) received your Plan of Operation (Plan) for the mining and removal of stone, in the form of clay shale, from mining claim UMC 367277 in section 24, Township 17 South, Range 13 West, SLBM, Millard County. On May 3, 2010 you were sent a letter indicating that the material of interest of your Plan is normally considered mineral material, not subject to the mining laws and requesting information on why BLM should consider the material locatable. BLM received your letter dated May 26, 2010 indicating you may wish to consider purchasing the material under a negotiated sale.

The Independent Offices Appropriation Act of 1952 (IOAA), 31 U.S.C. 9701 authorizes federal agencies to charge processing costs. The IOAA also states that these charges should pay for the agency services, as much as possible. BLM also has specific authority to charge fees for processing applications and other documents relating to public lands under Section 304 of the Federal Land Policy and Management Act of 1976 (FLPMA) 43 U.S.C. 1734. The IOAA and Section 304 of FLPMA authorize BLM to charge applicants for the cost of processing documents by issuing regulations. The final cost recovery rule, which was published in the Federal Register on October 7, 2005 (70 FR 58854), provides for fixed fees as well as case-by-case fees. A mineral materials negotiated sale has been designated a case-by-case basis per 43 CFR 3602.31 (b). BLM must receive these funds prior to continuing any case processing.


BLM is required to provide the applicant a written fee estimate of the additional costs associated with obtaining a negotiated sale contract. The total estimated cost recovery fee is \$15,168.73 for

the proposed negotiated sale contract. Attached is a copy of the initial fee estimate for case-by-case processing. You have the option of obtaining a third party contractor to complete the appraisal, NEPA documentation, and the cultural and biological surveys. Any third party document will have to be reviewed and approved by BLM.

You have 30 days from the receipt of this letter to provide comments on the estimated fees or return the signed Fee Estimate with your payment. If you submit comments or we do not hear from you within 30 days, you will be provided a final estimate with a billing statement. If in processing the application we encounter higher costs than anticipated, we will provide a revised cost estimate but processing will not stop. If the bill is less than estimated, BLM will refund any unused funds.

If you have any questions regarding your application or the fees connected with it, please contact Jerry Mansfield, Fillmore Field Office Geologist at (435) 743-3125.

Sincerely


Randy Beckstrand
Acting Field Manager

Enclosure: Plan

cc: w/enclosure (Plan)

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MINERAL MATERIAL DISPOSAL COST ESTIMATION WORKSHEET

NON COMPETITIVE SALE UTU 087930

Prepared July 7, 2010 by J. Mansfield

Application-Proposal Review, Initial-Final Processing-Approval, Termination

\$273.36

Mine-Reclamation Plan Review and Bond Estimate

\$820.08

Appraisal Preparation-Approval

\$11,652.59

NEPA Preparation

\$3,492.62

TOTAL

\$15,168.73